

# Asset Management & INVESTIGATIONS, INC.

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Rick Cunningham,  
Private Investigator  
since 1985

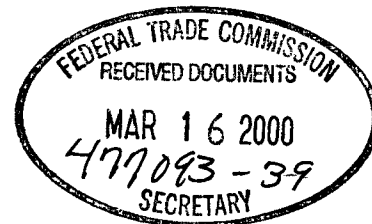
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ORIGINAL

March 13, 2000

Secretary Federal Trade Commission  
Room H-159, 600 Pennsylvania Ave, N.W.  
Washington, D.C. 20580



RE: Gramm-Leach-Bliley Act Privacy Rule, 16 CFR Part 313-Comment

Dear Secretary of Federal Trade Commission,

I am writing regarding my concern with the proposed regulations to implement Title V of the Gramm-Leach-Bliley Act of 1999. I express my personal concerns as well as the Michigan Council of Private Investigators. Ours is a state organization representing two hundred and fifty licensed private investigators that stand to lose a valuable tool if "nonpublic personal information" is defined to include simple names and addresses of customers of financial institutions.

The purpose of Congress was to provide an opportunity for customers of financial institutions to opt-out of sharing their personal financial information with non-affiliates of the institutions. The statute provides protection for financial information—not mere names and addresses. Indeed, if all information available to a financial institution is defined as "nonpublic personal information" then what is "public"? Clearly, Congress was offering a distinction by describing financial information. We would agree, that the Act provides opt-out of information regarding credit history, employment and financial assets. By what standard are name, address and phone number "nonpublic"?

Private investigators are an important, integral part of the American justice system. It is not widely understood that investigators are a critical cog in the legal machinery. The information we obtain regarding addresses and phone numbers is essential to our conduct of business and fulfilling our obligations to consumers. We utilize this information to assist in finding witnesses, to confirm addresses given on applications, and to prevent fraud, particularly insurance fraud. A high percentage of crime investigations are worked up by private investigators before being turned over to law enforcement for prosecution because law enforcement lacks the resources. The service of process, which is primarily done by civilian servers, would be devastated by this interpretation.

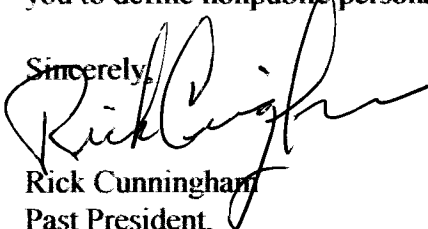
Often it is the only practical way to locate someone attempting to flee from legal obligations for child support or other debts. Perpetrators of crimes such as stalking or scamming the elderly, often do not reside at the address

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where their vehicles are registered. This information is essential to locating the registered owners of vehicles used in these acts.

If we lose the ability to access this information, then we will be relegated to searching by using the white pages of the phone book. Only the criminals and irresponsible will benefit. We urge you to define nonpublic personal information in the manner that Congress intended.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Cunningham", written over the word "Sincerely,".

Rick Cunningham  
Past President,  
Michigan Council of Private Investigators